

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MARGARET RUDIN,
Plaintiff(s),
v.
FBI, et al.,
Defendant(s).

Case No.: 2:20-cv-00090-RFB-NJK

REPORT AND RECOMMENDATION

Plaintiff has failed to update her address. *See, e.g.*, Docket Nos. 8-12. “A party, not the district court, bears the burden of keeping the court apprised of any changes in [her] mailing address.” *Carey v. King*, 856 F.2d 1439, 1441 (9th Cir. 1988) (*per curiam*); *see also In re Hammer*, 940 F.2d 524, 526 (9th Cir. 1991). To that end, the local rules require that litigants immediately file written notification of any change of address, and the local rules expressly warn that failure to do so may result in case-dispositive sanctions. *See* Local Rule IA 3-1.

On January 17, 2020, the Court ordered Plaintiff to file a notice of change of address by February 14, 2020. Docket No. 5. The Court expressly warned that “**FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN THE DISMISSAL OF THIS CASE.**” *Id.* at 2 (emphasis in original). To date, Plaintiff has failed to comply with that order.

Plaintiff has disobeyed the local rules and the Court’s order requiring her to update her address. Plaintiff’s failure to update her address, her disobedience with the local rules, and her disobedience of the Court’s order are abusive litigation practices that have interfered with the

1 Court's ability to hear this case, delayed litigation, disrupted the Court's timely management of its
2 docket, wasted judicial resources, and threatened the integrity of the Court's orders and the orderly
3 administration of justice. Sanctions less drastic than dismissal are unavailable because Plaintiff
4 has refused to comply with the order of this Court notwithstanding the warning that case-
5 dispositive sanctions may be imposed. Moreover, the Court is unable to contact Plaintiff "to
6 threaten [her] with some lesser sanction [because] [a]n order to show cause why dismissal was not
7 warranted or an order imposing sanctions would only find itself taking a round trip tour through
8 the United States mail." *Carey*, 856 F.2d at 1441.

9 Accordingly, in light of the circumstances outlined above, the undersigned
10 **RECOMMENDS** that this case be **DISMISSED** without prejudice.

11 Dated: February 24, 2020

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14 Nancy J. Koppe
15 United States Magistrate Judge

16 **NOTICE**

17 This report and recommendation is submitted to the United States District Judge assigned
18 to this case pursuant to 28 U.S.C. § 636(b)(1). A party who objects to this report and
19 recommendation must file a written objection supported by points and authorities within fourteen
20 days of being served with this report and recommendation. Local Rule IB 3-2(a). Failure to file
21 a timely objection may waive the right to appeal the district court's order. *Martinez v. Ylst*, 951
22 F.2d 1153, 1157 (9th Cir. 1991).
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